

United States District Court**FILED**
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

for the

DEC 03 2018

Eastern District of Arkansas

JAMES W. MCCORMACK, CLERK

By: mw DEP CLERK**SUPERSEDING PETITION****(Replacing previously filed petition, Docket Entry 83)**

Name of Offender: Daniel Chrobak

Case Number: 4:99CR00108-001 BSM

Name of Sentencing Judicial Officer: Honorable Stephen M. Reasoner
Senior United States District JudgeHonorable Brian S. Miller
Chief United States District Judge
Transferred: November 7, 2018Original Offense: Count One: Transporting Materials Of Minors Engaging In Sexually Explicit Conduct
Count Two: Possession of Materials Containing Minors Engaging in Sexually Explicit Conduct.

Date of Sentence: August 31, 2001

Original Sentence: 87 months Bureau of Prisons followed by 36 months supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: December 22, 2017
Date Supervision Expires: December 21, 2020

U.S. Probation Officer: Brenna E. Cross Asst. U.S. Attorney: Alex Morgan Defense Attorney: Latrece Gray

PETITIONING THE COURT

- ☒ To Issue a Sealed Warrant Pending Execution (cc: U.S. Probation and U.S. Marshal only)
- ☐ The Petition (Docket Entry 83) is denied as moot and superseded by this Petition
- ☐ To Issue a Summons
- ☐ Other

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Condition and Number</u>	<u>Nature of Noncompliance</u>
1	Special	You must not have direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, in-person

Name of Offender: Daniel Chrobak

Case Number: 4:99CR00108-001

communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places.

On January 25, 2018, Mr. Chrobak admitted going to a residence he was previously told not to go to due to children living there. Mr. Chrobak admitted he knew children resided at the residence and still visited the home on two separate occasions (January 17 and 24, 2018).

On July 24, 2018, Mr. Chrobak admitted to meeting his step-father whom he knew was the guardian of a minor child. Furthermore, he admitted he knew the minor child would be present at the meeting.

- | | | |
|---|-------------------|---|
| 2 | Special | <p>You must not access the Internet except for reasons approved in advance by the probation officer.</p> <p>On January 25, 2018, Mr. Chrobak admitted using his step-father and friend to access the Internet on his behalf. Further, Mr. Chrobak advised he would sit beside the person operating the computer and direct them to the websites he wanted to view.</p> <p>On July 24, 2018, Mr. Chrobak admitted to viewing pornography and other website pages through a smart phone and a laptop computer. Furthermore, Mr. Chrobak admitted he would have his girlfriend access pages he wanted to view and direct her where to go.</p> |
| 3 | Standard 5 | <p>The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.</p> <p>Mr. Chrobak failed to obtain and maintain employment from the time of his release until March 2018.</p> |
| 4 | Special | <p>You must allow the probation officer to install computer monitoring software on any computer (as defined in 18 U.S.C. § 1030(e)(1)) you use.</p> <p>On July 24, 2018, Mr. Chrobak admitted he utilized a computer and smart phone that did not belong to him for purposes of looking at the Internet. Furthermore, he admitted he actively sought out pornography.</p> <p>On July 24, 2018, Mr. Chrobak admitted to buying phones that were Internet capable and not notifying the U.S. Probation Office. Furthermore, Mr. Chrobak admitted his Internet capable phone was confiscated by his officer with Arkansas Community Correction along with a laptop computer, and an Xbox. Mr. Chrobak said he purchased an Internet capable phone after the confiscation.</p> |

Prob 12C

- 3 -

Superseding Petition

Name of Offender: Daniel Chrobak

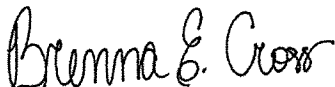
Case Number: 4:99CR00108-001

5 General**The defendant shall not commit another federal, state, or local crime.**

On November 28, 2018, an OS Forensics Report was received from the Arkansas Community Correction indicated images of child pornography were located on Mr. Chrobak's laptop computer confiscated by state authorities.

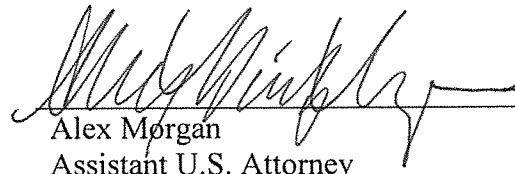
I declare under penalty of perjury that the foregoing is true and correct.

The U.S. Attorney's Office submits this petition to be filed with Criminal Docketing as a motion.



Brenna E. Cross
U.S. Probation Officer

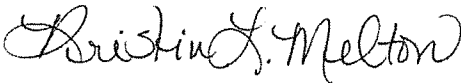
Executed on November 30, 2018



Alex Morgan
Assistant U.S. Attorney

Executed on 11.30.18

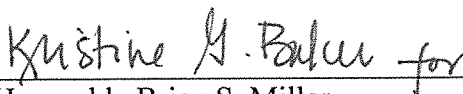
Approved by:



Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☒ To Issue a Sealed Warrant Pending Execution (cc: U.S. Probation and U.S. Marshal only)
- ☐ The Petition (Docket Entry 83) is denied as moot and superseded by this Petition
- ☐ To Issue a Summons
- ☐ No Action
- ☐ Other



Honorable Brian S. Miller
United States District Judge

December 3, 2018

Date